

**April 18, 2016
Springfield, Missouri**

The City Council met in regular session April 18, 2016 in the Council Chambers at Historic City Hall. The meeting was called to order by Mayor Pro Tem Ken McClure. A moment of silence was observed.

Roll Call

Present: Craig Hosmer, Kristi Fulnecky, Phyllis Ferguson, Mike Schilling, Justin Burnett, Craig Fishel, Ken McClure, and Jan Fisk. Absent: Bob Stephens.

Minutes

The minutes of April 4, 2016 and April 12, 2016 were approved as presented.

Consent Agenda

The Consent Agenda was finalized and approved as amended.

Tom Smith, Acting City Clerk, informed Council he had received a request to remove Council Bill 2016-085 from the Consent Agenda Second Reading Bills. He noted this item will be added for consideration under Second Reading Bills.

**Rezoning - 608, 614,
and 618 West Mount
Vernon
Z-39-2015**

Tom Smith, Acting City Clerk, informed Council he had received a request to remove Council Bill 2016-034 from the table. Councilman Fishel moved to remove Council Bill 2016-034 from the table. Motion to remove Council Bill 2016-034 from the table failed due to lack of a second.

**Additional Council
Bills Added to Agenda**

Tom Smith, Acting City Clerk, informed Council two bills were posted in the City Clerk's office on Friday, April 15, 2016, as possible additions to the agenda.

Councilman Schilling moved the Council Bills to the agenda. Councilman Burnett seconded the motion and it was approved by the following vote:
Ayes: Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, Fisk, and McClure.
Nays: None. Absent: Stephens. Abstain: None.

Mr. Smith informed Council that Council Bills 2016-090 and 2016-091 will be added to the agenda under First Reading Bills.

CEREMONIAL MATTERS

**City Managers report and responses to questions raised at the previous
City Council meeting:**

Greg Burris, City Manager, responded all questions had been answered. Mr. Burris thanked the voters of the City for their approval for the 1/4-cent Capital Improvements Sales Tax and the 1/8-cents Transportation Sales Tax, which were renewed at Tuesday's April 5, 2016 election with 86% of the voters supporting. He also recognized the City staff, the Chamber of Commerce, and the Committee for the Future for helping to educate voters on the importance of these taxes.

Mr. Burris noted best-selling author Robert Putnam, visited Springfield and gave a series of presentations. He stated Professor Putnam has visited 140 cities across

the country during the past year and said, "I don't think there is a place in America that has a more sophisticated understanding of the gap between poor kids and rich kids than in Springfield. I'm blown away by what you've already done here. Springfield is five years ahead of most other cities in this effort."

Mr. Burris noted the City has met another milestone in the Community Listen Zone Blitz Initiative. On Thursday, April 14, 2016, approximately 180 people came together at Northview Senior Center to review the current action plan for dozens of projects and investment in Springfield's Zone 1. He stated the next step is to create a menu of opportunities for partners and others wishing to help. He also stated the official launch of projects will begin in May 2016.

Mr. Burris noted volunteers are going door-to-door to distribute invitations in Zone 1 for the upcoming Convoy of Hope Springfield event to take place at Ozark Empire Fairgrounds on May 7, 2016. He stated Convoy and the City have teamed with dozens of churches, nonprofit organizations and service providers, to make this a day of fun and hope for those needing assistance. Mr. Burris noted there will be more information to come on this great event, which also includes numerous service projects going on throughout the Zone the same day.

Mr. Burris noted the Parks Department has provided their regular update to Council. He stated the Parks Department is very involved and one of the busiest partners (along with Public Works) in the Zone Blitz. Mr. Burris expressed his appreciation to Bob Belote, Kim Reser and Maria Johnston for taking an active role in this process. Mr. Burris noted Friday night, April 15, 2016, was the opener for the spring season of Miracle League ball at the Betty and Bobby Allison Miracle League Ball Field, at Dan Kinney Park. He stated the Miracle League serves children and adults with disabilities. Mr. Burris noted the seven-week spring league already includes 160 players from all over the region.

Mr. Burris noted the Mayor will sign a proclamation recognizing the month of May 2016 as Building Safety Month.

Mayor Pro Tem McClure expressed his appreciation to the voters of the City for approving the 1/4-cent Capital Improvements Sales Tax and the 1/8-cents Transportation Sales Tax

Councilman Hosmer asked for clarification on the Unified Crime Report provided by the Springfield Police Department. Mr. Hosmer asked if the report is a monthly or quarterly report. Chief Williams, Springfield Police Department, responded the report provided is a monthly report. Mr. Hosmer asked if the Department had started housing inmates in Miller and Taney Counties. Chief Williams responded there are several measures and procedures being addressed. He stated he anticipates to begin housing inmates in these facilities in May 2016.

The following bills appeared on the agenda under Second Reading Bills:

Blaine Street Frontage

Tabled for 60 Days

Sponsor: McClure. Council Bill 2016-059. A general ordinance amending Chapter 36 of the Springfield City Code, known as the Land Development Code, Article III, Division IV, Subdivision III, Section 36-425(7), Design Requirements, of the COM, Commercial Street District in the Zoning Ordinance to clarify Blaine Street Frontage and new construction requirements.

Councilwoman Ferguson moved to table Council Bill 2016-059 indefinitely. She stated, along with Tim Smith, Deputy City Manager, she met with Commercial Club and it was requested Council table this bill.

Marianne Banks, Interim City Attorney, advised Council to set a specific date instead of tabling indefinitely.

Councilwoman Ferguson amended her motion to table Council Bill 2016-059 for sixty days. Councilman Burnett seconded the motion and it was approved by the following vote: Ayes: Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, Fisk, and McClure. Nays: None. Absent: Stephens. Abstain: None.

**Project Water
Education for Teachers
(WET)**

Sponsor: Burnett. Council Bill 2016-075. A special ordinance authorizing the City Manager, or his designee, on behalf of the City of Springfield, Missouri, to enter into an agreement with Missouri State University (MSU), Greene County, and the Watershed Committee of the Ozarks (WCO) to participate in supporting and implementing Project Water Education for Teachers (WET), a water quality education program for Springfield and Greene County, Missouri.

Council Bill 2016-075. Special Ordinance 26716 was approved by the following vote: Ayes: Ayes: Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, Fisk, and McClure. Nays: None. Absent: Stephens. Abstain: None.

Sculpture Walk

Sponsor: Fisk. Amended Council Bill 2016-076. A general ordinance amending the Springfield City Code by repealing language contained in Chapter 98 Streets, Sidewalks and Public Places, Article I in General, Section 98-8 Outdoor Sculptures; and adding new regulations for Sculpture Walk.

Councilman Hosmer noted the online version of Council Bill 2016-076 still contained the language, "or his designee". Mr. Hosmer asked for clarification on whether the Council Bill had been properly amended as voted on at the April 4, 2016 Council meeting. Marianne Banks, Interim City Attorney, advised Council since a vote was taken to amend and remove the language, "or his designee" and by voting in the affirmative on Council Bill 2016-076 that amendment will stand and the approved Council Bill will not contain that language.

Councilwoman Fulnecky spoke in support of the proposed and expressed her opinion it will be good for the City.

Amended Council Bill 2016-076. General Ordinance 6274 was approved by the following vote: Ayes: Ayes: Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, Fisk, and McClure. Nays: None. Absent: Stephens. Abstain: None.

RESOLUTIONS.

EMERGENCY BILLS.

PUBLIC IMPROVEMENTS.

GRANTS.

AMENDED BILLS.

COUNCIL BILLS FOR PUBLIC HEARING.

The following appeared under First Reading Bills:

3100 block of South Kauffman Road

Removed From Consent Agenda First Reading Bills

Sponsor: Hosmer. Council Bill 2016-085. A resolution authorizing the Mayor of the City of Springfield, Missouri to sign a petition to request the annexation of approximately 22.84 acres of City-owned property, generally located in the 3100 block of South Kauffman Road and declaring the intent of the City of Springfield to annex and rezone said property.

Marianne Banks, Interim City Attorney, gave a brief overview of the proposed. She stated the proposed will allow the Mayor to sign a petition and start the process of annexing this City-owned property into the City limits. Ms. Banks noted the proposed was discussed at a previous meeting as a potential location for an animal shelter. Mayor Pro Tem McClure asked for clarification on the annexation process. Ms. Banks responded a neighborhood public hearing is scheduled for Thursday, April 21, 2016, followed by a Planning and Zoning Commission meeting in May 2016, and back to Council for consideration on May 31, 2016.

Ms. Banks advised Council since this is a Resolution it can be voted on at this meeting.

Councilwoman Ferguson asked for clarification on the location of the proposed shelter. Collin Quigley, Assistant City Manager, provided the proposed location. Ms. Ferguson asked about the distance from the proposed shelter location to the Church. Mr. Quigley provided the location of the church and the proposed shelter.

Councilman Fishel asked for clarification on the location of City limits. Mr. Quigley provided the location of City limits. Mr. Fishel asked if the church will be inside City limits. Mr. Quigley responded in the negative.

An opportunity was given for citizens to express their views. With no appearances, the discussion was closed.

Council Bill 2016-085. Resolution 10265 was approved by the following vote: Ayes: Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, Fisk, and McClure. Nays: None. Absent: Stephens. Abstain: None.

Council Bill 2015-324 Substitute No. 1 and Council Bill 2016-090 were read and discussed simultaneously.

Carryover Fund Balance

Sponsor: Stephens. Council Bill 2015-324 Substitute No. 1. A special ordinance amending the General Fund budget of the City of Springfield, Missouri, for Fiscal Year 2015-2016, by appropriating the carryover fund balance and increasing expenses in the amount of \$3,213,570.

An opportunity was given for citizens to express their views. With no appearances, the discussion was closed.

**2015 Fiscal Year
Carryover Fund**

Added to the Agenda

Sponsor: Stephens. Council Bill 2016-090. A special ordinance amending the General Fund budget of the City of Springfield, Missouri, for Fiscal Year 2015-2016, by appropriating a portion of the 2015 fiscal year carryover funds and increasing expenses in the amount of \$750,000.

Mary Mannix Decker, Director of Finance, gave a brief overview of the proposed. She stated the original amount of carryover funds was \$4.4 Million. Ms. Decker noted the carryover funds are a result of revenues which exceeded the budget and expenses which were lower than budget. She stated for Fiscal Year 2015, revenue exceeded budget by \$2.3 Million and expenses were \$2.1 Million lower than originally budgeted. Ms. Decker noted Council appropriated \$500,000 in March 2016 leaving \$3.9 Million in carryover funds. She stated the items on the budget adjustments for Council Bills 2015-324 Substitute No. 1 and 2016-090 are high-priority items and were presented to Council at the April 12, 2016 luncheon. Ms. Decker noted all of the items on the presented at the Council lunch are on the budget adjustment in the amount of \$3,213,570. She stated the Infor Public Sector Software is a separate Council Bill and budget adjustment and staff is asking Council to do a second reading at the April 26, 2016 Council lunch in order to take advantage of approximately \$150,000 in discounts.

Councilwoman Fulnecky moved to amend exhibit A of Council Bill 2015-324 Substitute No. 1 by reducing the amount of the Founders Park – Phase 1 expenditure by \$43,640. Councilman Hosmer seconded the motion and it was discussed. Ms. Fulnecky stated her motion is intended to fund the purchase of the following items: Hood and Duct System for the Fire Department in the amount of \$12,000; Tasers for the Fire Department in the amount of \$5,200; Training Infill for the Fire Department in the amount of \$5,000; Cameras for Investigators for the Police Department in the amount of \$11,940; and Replace a Service Dog for the Police Department in the amount of \$9,500.

Bob Belote, Director of Parks and Recreation, gave a brief overview of the Founders Park budget request. He stated safety and security design improvements are the priority the budget line item. Mr. Belote noted the majority of the budget request will provide lighting, security cameras, and waterfall safety issues. Ms. Fulnecky asked for clarification on lighting costs. Mr. Belote responded approximately \$180,000. He stated upgrading lighting without upgrading the security cameras will have a significant impact on the Department's ability to respond security concerns in real-time.

Councilman Schilling spoke in opposition to the motion. He expressed his opinion the City faces a liability issues at Founders Park without these design improvements.

Councilwoman Ferguson asked for clarification on the waterfall concerns. Mr. Belote responded the height of the falls along with the depth of the water provide substantial risk of injury and drowning. He stated the plan calls for addressing both concerns.

Councilman Hosmer asked about a parks tax. Mr. Belote responded considerable discussion has taken place on a potential parks tax. He stated Parks does not have a capital budget to address infrastructure problems such as this and a parks tax would alleviate that. Mr. Hosmer expressed his opinion a parks tax would be

good for the City. He expressed his opinion it is not good public policy to take money away from the Parks to provide items for the Police and Fire Departments and vice versa. Mr. Hosmer stated he will support the motion.

Councilwoman Fulnecky expressed her belief that after this amount is deducted, the Parks Department will still have over \$250,000.

The motion failed by the following votes: Ayes: Hosmer and Fulnecky. Nays: Ferguson, Schilling, Burnett, Fishel, Fisk, and McClure. Absent: Stephens. Abstain: None.

An opportunity was given for citizens to express their views. With no appearances, the discussion was closed.

Councilwoman Ferguson asked for clarification on the hiring of an additional building inspector. Greg Burris, City Manager, stated the funding was pre-authorized for Fiscal Year 2017. Councilman Hosmer asked for clarification on the funding for the building inspector. Mary Mannix Decker, Director of Finance, stated the funding for this position is included in the proposed Fiscal Year 2017 budget. Ms. Decker noted Council authorized staff to post this position for hire and stated by the time this position is hired it will likely be on or after July 1, 2016. Mr. Hosmer stated his understanding of what Council approved was the setting aside of funds for the hiring of an inspector now and not waiting until Fiscal Year 2017. Ms. Decker responded staff is in the process of hiring an inspector now, but noted the process may take several weeks to complete. She stated if an individual can be hired before July 1, 2016 one will be hired and the contingency funds will provide for the Fiscal Year 2016 salary.

**Alcoholic Beverages at
Special Events**

Added to the Agenda

Sponsor: Fisk, Ferguson, Burnett & McClure. Council Bill 2016-091. A general ordinance amending the Springfield City Code, Chapter 10, Alcoholic Beverages, Section 10-62 Exception for general merchandise stores, restaurants, and exempt organizations, to increase and expand the area for certain permitted events; Chapter 78, Offenses and Miscellaneous Provisions, Section 78-4 Possession, sale or consumption of alcoholic beverages in public place, to add exemptions for certain permitted events; amending Chapter 106, Traffic and Vehicles, Section 106-50 Use of right-of-way during Artsfest; and including a sunset provision for December 31, 2016.

Cora Scott, Director of Public Information and Civic Engagement, gave a brief overview of the proposed. She stated the proposed will allow possession, sale or consumption of alcoholic beverages in the public right-of-ways, for certain special events. Ms. Scott noted the benefits of the proposed include enhancing vibrancy, and introducing thousands of citizens and customers to the downtown area. She stated the proposed will make Springfield more competitive with larger markets will provide for more sales for downtown businesses. Ms. Scott noted the proposed keeps eight events authorized, but expands the Park Central Square boundaries for the Route 66 Festival. She stated the Artsfest organizers are requesting authority to have a beer garden in conjunction with Artsfest this year.

Councilwoman Ferguson moved to amend ordinance 2016-091 to include one event to take place on C-Street (the boundaries of Commercial Street public right-of-way from Washington at the East and Grant at the West) for the allowance of

alcohol, given certain parameters met, as outlined in the Special Event Permit Process, and amending Line 32 to increase the total numbers of events annually from nine to ten. Councilman Fishel seconded the motion and it was discussed.

Councilman Fishel asked if all events on the Square are approved individually. Ms. Scott gave a brief overview of the approval process. Mr. Fishel asked if each event had to come before Council. Ms. Scott responded no. Mr. Fishel expressed his opinion C-Street should be treated the same as the Square.

Councilman Hosmer asked for clarification on limitations placed on special events. Ms. Scott gave a brief overview of the limitations and the event permitting criterion.

The motion and was approved by the following vote: Ayes: Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, Fisk, and McClure. Nays: None. Absent: Stephens. Abstain: None.

An opportunity was given for citizens to express their views.

Ashley Clair spoke in support of the proposed. She expressed her appreciation to Council for their efforts in making Downtown Springfield a vibrant and attractive place to live and work.

Travis Liles spoke in support of the proposed. He expressed his appreciation to Council for their efforts in attracting economic development in Downtown Springfield.

Leslie Forrester spoke in support of the proposed. She expressed her opinion that the proposed will ensure the future growth and success of Artsfest.

Rusty Worley spoke in support of the proposed. He expressed his appreciation to the Network for supporting the proposed.

With no further appearances, the discussion was closed.

The following appeared under Petitions, Remonstrances, and Communications:

Fred Hamburg spoke about the issue of recycling and waste management.

NEW BUSINESS.

UNFINISHED BUSINESS.

MISCELLANEOUS.

The following bill appeared on the agenda under Consent Agenda First Reading Bills:

**Texas A & M
Engineering Extension
Service (TEEX)**

Sponsor: Fisk. Council Bill 2016-084. A special ordinance authorizing the City Manager, or his designee, to enter into a contract with Texas A & M Engineering Extension Service (TEEX) to teach a course for the Springfield Police

Contract	Department.
3100 block of South Kauffman Road	Sponsor: Hosmer. Council Bill 2016-085. A resolution authorizing the Mayor of the City of Springfield, Missouri to sign a petition to request the annexation of approximately 22.84 acres of City-owned property, generally located in the 3100 block of South Kauffman Road and declaring the intent of the City of Springfield to annex and rezone said property.
Moved to First Reading Bills	
Springfield Community Gardens onto City-Owned Property	Sponsor: Fulnecky. Council Bill 2016-086. A special ordinance authorizing the City Manager, or his designee, to grant a license to Springfield Community Gardens ("SCG") and its invitees allowing them to enter onto City-owned property, specifically, Fire Station No. 8 located at 1405 South Scenic Avenue, for the purpose of creating, cultivating and maintaining a community garden.
Miracle League Ball Field Resurfacing	Sponsor: Ferguson. Council Bill 2016-087. A special ordinance acknowledging the Springfield-Greene County Park Board's acceptance of an anonymous donation for the resurfacing of the Miracle League Ball Field and replacing the bleacher seating in the Stadium at the Park Board's Dan Kinney Park; expressing appreciation to the donor for this donation; and amending the budget for the Park Board for fiscal year 2015-2016 in the amount of \$350,000.
The following bill appeared on the agenda under Consent Agenda One Reading Bills:	
Sanitary Sewer District No. 183 of Section No. 16 – Grand Street and West Bypass	Sponsor: Schilling. Council Bill 2016-088. A special ordinance amending Special Ordinance No. 26450 to redefine the boundaries of Sanitary Sewer District No. 183 of Section No. 16 of the main sewers of the City of Springfield located in the general vicinity of Grand Street and West Bypass. Council Bill 2016-088. Special Ordinance 26717 was approved by the following vote: Ayes: Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, Fisk, and McClure. Nays: None. Absent: Stephens. Abstain: None.
Temporary Assistance for Needy Families (TANF) and the Summer Jobs League Program	Sponsor: Burnett. Council Bill 2016-089. A special ordinance authorizing the City Manager, or his designee, to accept Temporary Assistance for Needy Families (TANF) grant of \$69,294 for the State Park Youth Corps program and \$394,286 for the Summer Jobs League Program from the Missouri Division of Workforce Development and to enter into necessary agreements to carry out the grant; and amending the budget of the Department of Workforce Development for Fiscal Year 2015-2016 in the amount of \$463,580 to appropriate the grant funds. Council Bill 2016-089. Special Ordinance 26718 was approved by the following vote: Ayes: Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, Fisk, and McClure. Nays: None. Absent: Stephens. Abstain: None.
The following bills appeared on the agenda under Consent Agenda Second Reading Bills:	
Missouri Highways and Transportation Commission (MHTC)	Sponsor: Ferguson. Council Bill 2016-077. A special ordinance authorizing the City Manager, or his designee, to enter into a cost apportionment agreement with the Missouri Highways and Transportation Commission (MHTC), to share costs

**Apportionment
Agreement**

associated with the improvement of both Route EE and North Airport Boulevard.

Council Bill 2016-077. Special Ordinance 26719 was approved by the following vote: Ayes: Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, Fisk, and McClure. Nays: None. Absent: Stephens. Abstain: None.

**Environmental Works,
Inc. – Monitoring Well**

Sponsor: Fishel. Council Bill 2016-078. A special ordinance authorizing the City Manager, or his designee, to enter into an addendum to contract number 2015-0720 with Environmental Works, Inc., to install and maintain one additional monitoring well on public right-of-way to monitor groundwater conditions at no cost to the City.

Council Bill 2016-078. Special Ordinance 26720 was approved by the following vote: Ayes: Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, Fisk, and McClure. Nays: None. Absent: Stephens. Abstain: None.

**Hartman and Company
Inc. – Mt. Vernon
Street Widening**

Sponsor: Ferguson. Council Bill 2016-079. A special ordinance approving the plans and specifications for the Mt. Vernon Street Widening (Orchard Crest Avenue to Suburban Avenue) project, Plan No. 2013PW0039T; accepting the bid of Hartman and Company, Inc., for that project; and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

Council Bill 2016-079. Special Ordinance 26721 was approved by the following vote: Ayes: Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, Fisk, and McClure. Nays: None. Absent: Stephens. Abstain: None.

**Surplus Property – 1102
North Rogers Avenue**

Sponsor: Burnett. Council Bill 2016-080. A special ordinance approving the sale of real property at 1102 North Rogers Avenue to Affording Housing Action Board for \$12,500 and authorizing the issuance of a deed for same.

Council Bill 2016-080. Special Ordinance 26722 was approved by the following vote: Ayes: Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, Fisk, and McClure. Nays: None. Absent: Stephens. Abstain: None.

**Surplus Property – 1410
East Pacific Street**

Sponsor: Burnett. Council Bill 2016-081. A special ordinance approving the sale of real property at 1410 East Pacific Street to Affordable Housing Action Board for \$12,500 and authorizing the issuance of a deed for same.

Council Bill 2016-081. Special Ordinance 26723 was approved by the following vote: Ayes: Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, Fisk, and McClure. Nays: None. Absent: Stephens. Abstain: None.

Adjourn

With no further business to come before Council, the meeting adjourned at approximately 8:00 p.m.

Tom Smith
Acting City Clerk